

GP 1642
MGP
ATTORNEY DOCKET NO. 14114.0327U2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of)
Fields et al.)
Serial No. 09/171,432) Group Art Unit: 1642
Filed: November 23, 1998) Examiner: Brumback, B.
For: "ANTIGENICALLY REACTIVE REGIONS OF)
THE HEPATITIS A VIRUS POLYPROTEIN)

RESPONSE TO COMMUNICATION

Assistant Commissioner for
Patents
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.
Suite 1200, The Candler Building
127 Peachtree Street, N.E.
Atlanta, Georgia 30303-1811

December 13, 2000

Sir:

This is in response to the Communication dated November 13, 2000, wherein a species election is required. The Examiner states that the Response to Restriction Requirement filed August 14, 2000 electing the claims of Group II, claims 70-73, is not fully responsive to the Restriction Requirement mailed May 9, 2000. The Office Action requires the applicant to elect one of the following species to which the claims shall be restricted if no generic claim is finally held to be allowable:

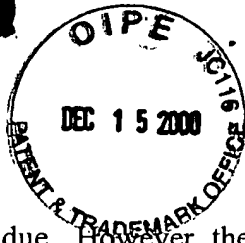
Sequences similar to a portion of the HAV VP2/VP4 protein;

Sequences similar to a portion of the HAV VP3 protein;

Sequences similar to a portion of the HAV VP1 protein;
Sequences similar to a portion of the HAV P2A protein;
Sequences similar to a portion of the HAV P2B protein;
Sequences similar to a portion of the HAV P2C protein;
Sequences similar to a portion of the HAV P3A protein;
Sequences similar to a portion of the HAV P3B protein; and
Sequences similar to a portion of the HAV P3C protein.

Applicants provisionally elect the species corresponding to sequences similar to a portion of the HAV P2A protein which read on claims 70-73.

Moreover, upon the allowance of a generic claim, applicant respectfully requests that the Examiner consider claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.



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No fee is believed due. However, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

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I hereby certify that this Response is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner of Patents, Washington, D.C. 20231, on the date shown below.

Gwendolyn D. Spratt

12-13-00
Date